

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>NATIONAL HEALTHCARE SERVICES, INC.,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Plaintiff,</b>	:	<b>NO.: 02-CV-3600</b>
	:	
<b>v.</b>	:	
	:	
<b>PENN TREATY AMERICA CORPORATION,</b>	:	
<b>et al.,</b>	:	
	:	
<b>Defendants.</b>	:	
	:	

**MOTION OF DEFENDANTS TO DISMISS  
COUNTS ONE AND THREE OF THE COMPLAINT**

Defendants, by their undersigned counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby move to dismiss with prejudice Counts One and Three of the Complaint in this action. In support of this motion, defendants rely upon the accompanying memorandum of law.

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